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Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan

Note verbale dated 2 August 2016 from the Permanent Mission of the Netherlands to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Kingdom of the Netherlands to the United Nations presents its compliments to the chair of the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan, and has the honour to submit to the Committee the requested report of the Government of the Kingdom of the Netherlands on the implementation of Council resolution 2206 (2015) (see annex). The Netherlands would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

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Annex to the note verbale dated 2 August 2016 from the Permanent Mission of the Netherlands to the United Nations addressed to the Chair of the Committee

Report of the Netherlands on the implementation of Security Council resolution 2206 (2015)

Pursuant to paragraph 17 of Security Council resolution 2206 (2015), the Government of the Netherlands has the honour to inform you regarding the steps it has taken to implement the measures imposed by resolution 2206 (2015).

The implementation of United Nations sanctions is an autonomous competence for Aruba, Curaçao, Sint Maarten and the Netherlands, although the Kingdom of the Netherlands remains accountable under international law. Only the Netherlands is a member of the European Union.

Member States of the European Union implement the provisions of Security Council resolutions that fall within the scope of the competence of the European Union by means of the relevant European regulatory acts, comprising European Union Council regulations, European Union Council decisions and European Union common positions. The Netherlands and the other States members of the European Union have jointly implemented the restrictive measures against South Sudan imposed by Security Council resolution 2206 (2015).

Council Decision (CFSP) 2015/740 and Council Regulation (EU) 2015/735 transposing resolution 2206 (2015) into European Union law entered into force on 7 May 2015. Decision 2014/449/CFSP transposing restrictive measures already imposed by European Union Council decision was therefore repealed by Council Decision 2015/740 and Council Regulation (EU) 2015/735, according to the standards set in Security Council resolution 2206 (2015). The additional autonomous restrictive measures against certain individuals, as set out in European Union Council Decision 2014/449/CFSP, were added to Council Decision (CFSP) 2015/740 and Council Regulation (EU) No 2015/735. These European Union restrictive measures include an arms embargo and designation of two additional individuals.

European Union regulation 2015/735 sets out its commitment to implementation of all the measures contained in Security Council resolution 2206 (2015), and provides the basis for specific implementing measures by the European Union within the scope of the resolution.

As soon as the European Union regulation was adopted, the Minister for Foreign Affairs of the Netherlands, in cooperation with the other ministers concerned, laid down the necessary national provisions in secondary legislation, within the framework of the Sanctions Act 1977. Pending the adoption of the European Union regulation and, subsequently, national secondary legislation, the Netherlands implemented its obligations under the Security Council through its existing national legislation and instruments, that is, border patrol, visa and import/export licences.

The national provision is currently adapted to the latest European Union regulation. Penalization of a violation of the relevant European Union Council decisions and regulations, as mentioned above, is laid down in the national sanctions regulation concerning South Sudan entering into force on 27 June 2015.